



Book ADMINISTRATIVE GUIDELINES
Section 3000 CERTIFIED STAFF
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PROCEDURES FOR REPORTING SUSPECTED CHILD ABUSE OR NEGLECT
Policy #3213.01

Administrative Guideline

What triggers the duty to report?

A school staff member "has reason to believe" that a child [under 18 years of age] is a victim of child abuse or neglect.

- "Reason to believe" means you have evidence that would cause individuals of similar background and training to believe that a child is abused or neglected.
- The "evidence" would be facts based on observation, information from the child, information from reliable third parties, or admissions by family members
- "Abuse or neglect means":
 - the child's physical or mental condition is seriously impaired or seriously endangered as a result of the inability, refusal, or neglect of the child's parent, guardian, or custodian to supply the child with necessary food, clothing, shelter, medical care, education or supervision; or
 - the child's physical or mental health is seriously endangered due to injury by the act or omission of the child's parent, guardian, or custodian; or
 - the child is a victim of rape, criminal deviant conduct, child molesting (defined here as "the fondling or touching of the buttocks, genitals, or female breasts"), child exploitation, child pornography, child seduction, sexual misconduct with a minor, public indecency, incest, or child prostitution; or
 - the child's parent, guardian, or custodian allows the child to participate in an obscene performance, to commit public indecency, indecent exposure, prostitution, patronizing prostitutes, promoting prostitution, or voyeurism.
- A staff member who has "reason to believe" there has been abuse or neglect has an obligation to notify the principal and report to CPS. Do not discuss the matter with the alleged victim, the alleged perpetrator, staff members, or family members of the child.

Who has the duty to report?

All school personnel, including a school counselor or school social worker who acquired the relevant facts in a privileged communication, have a duty to report to Child Protection Service ("CPS").

What is the reporting obligation?

The staff member must immediately notify the principal (or,, in the principal's absence, the designated person in charge).

The staff member and the principal are both responsible to notify CPS.

Notifying the principal does not relieve the staff member of the responsibility of seeing that the matter is reported to CPS. Neither may the principal nor any other administrator prevent a staff member from making a report to CPS.

Every adult in the building who has evidence suggesting that a child is abused or neglected has a duty to report that evidence to the principal. This includes, but is not limited to, volunteers; staff with contracted agencies; and visitors.

What is the reporting procedure?

1. The principal and staff member together fill out the IPS Confirmation of Report to Child Protection Service form. If the person who initially reported to the principal is not an employee of IPS, the confirmation form should identify that individual to facilitate the assessment.
2. If the principal or other administrator receives information against a staff member triggering a CPS report, that administrator alone must make the report and should not discuss it with any other staff members, including the social worker/counselor.
3. The principal and staff member immediately telephone the report to CPS at 1-800-800-5556. CPS will ask you generally for the information listed on the IPS Confirmation of Report to Child Protection Service Form.
4. If the principal is unavailable, the vice-principal, assistant principal, or designee may make the call with the staff member who received the information or report.
5. **Fax the IPS Confirmation of Report to Child Protection Service form to the Student Services Department at 226-3665 as soon as possible, but not later than the end of the school day.** The Title IX Coordinator (who is also the Coordinator of School Social Work) will send a copy of the confirmation form to the IPS Police and the Human Resources Division when they may need to be involved.
6. If the building keeps the original of the confirmation, it must be kept in a secure place under the control of the principal. **No copies of the form should be given to other school personnel.**

If the report involves an IPS employee:

1. As much as possible, the principal is to ensure that the employee and the student have no further contact until resolution by CPS and Human Resources.
2. For all cases that may imply sexual abuse and for all cases where there is evidence of physical injury, the principal (or the principal's designee) is to notify Human Resources by the end of the day.
3. All suspensions that come as a result of enforcing child abuse procedures are to be done by Human Resources staff, only.
4. Upon receiving the fax of the Confirmation of Report to CPS, if Human Resources has not received communication from the school, Human Resources will contact the building principal/supervisor.
5. The principal should obtain witness statements, including from staff and student(s).
6. The principal will provide Human Resources with an assessment of the situation, including any employee history as it pertains to this type of incident.
7. If the allegations involve sexual conduct, the Title IX Coordinator will advise the principal what additional investigation is needed. In all other cases, Human Resources will advise the principal what additional investigation is needed to determine whether the employee has violated IPS policies and rules. There may be some cases in which the Title IX Coordinator will ask the IPS Police or representatives from Human Resources to assist with the investigation.
8. There may be cases in which an employee will be placed on or continued on suspension after CPS has found allegations of abuse or neglect unsubstantiated so that IPS can conduct its investigation of possible violations of IPS policies and rules.
9. Unless the alleged abuse is of a criminal nature and/or unless the alleged abuse will possibly lead to further disciplinary action, it will be the intent of IPS to limit the time on suspension, as much as possible.

What does CPS do?

- CPS makes a written report (Form 310).
- CPS determines if the report involves "abuse" or neglect" within its jurisdiction. If CPS decides the allegations are not within its jurisdiction, it will advise IPS that it will not assess; and the matter is then returned to IPS for investigation and action. If CPS decides the allegations are within its jurisdiction, CPS assigns the case to a CPS case manager.
- The CPS case manager conducts an assessment (beginning within 24 hours after the report, if abuse is alleged, within no more than 5 days if neglect is alleged, and with 1 hour if the child is in imminent danger of serious bodily harm). Law enforcement personnel may also investigate where criminal charges could result.
- Interviews made by CPS and law enforcement are often conducted at school when the report was made by the school or was received by CPS at a time the child is at school. CPS will do its best to arrange the interview in advance. Neither a parent nor an IPS representative is entitled to be present. You should not notify the parent that CPS will interview the child. You should provide a quiet and private place for CPS to conduct the interview.
- CPS has the authority to take a child into custody and may remove a student from your building. If CPS or another law enforcement official removes your student, make sure you have gotten all the information necessary to complete the Student Custody Receipt. The principal should have on file a completed Receipt for every child removed from school by CPS, IPS Police, or another law enforcement agency.
- CPS is required to notify the parent or guardian that the child has been taken into custody. If the parent or guardian calls you and does not know the whereabouts of the child, direct him/her to the official and agency identified in this Receipt. When IPS Police take a student into custody, particularly after school hours, the School Police will work with CPS to get the information to the family.
- CPS is required to complete its assessment within 30 days. CPS will send a feedback report with findings to the Title IX Coordinator who will send one copy to the principal. The principal should share the information with staff members on a "need to know" basis. If the building keeps its copy of the feedback report, it must be kept in a secure place under the control of the principal. Make no additional copies.
- If you have heard nothing and more than thirty days have passed since you reported to CPS, call the Title IX Coordinator, who will then deal with CPS about feedback issues.

What should the principal do while CPS is assessing?

- Do nothing that might interfere with the CPS assessment. Do not attempt to conduct any investigation beyond obtaining written statements from staff and students unless directed otherwise by the Title IX Coordinator or Human Resources.
- Do take action, where it is appropriate, to separate the child from the accused employee or student or otherwise to minimize the risk of further problems while the report is being assessed.
- **If the incident involves an IPS employee or another student or occurred on school grounds, a school bus, or at a school-related activity, the principal should call and alert the parent of the alleged victim before the student goes home. Tell the parent only that there has been an allegation of an incident involving the child and the state in general terms the nature of the incident; tell the parent what, if any, interim action you have taken to protect the child. Do not identify the accused person or discuss the allegations in any detail.**
- In all other cases, do not inform the parents or other family members of this report.
- **If the accused person is a school staff member and you are going to take some interim action (like removing a child from the classroom), follow the advice of Human Resources on whether and when to tell the staff member that a report concerning his/her conduct has been made to CPS. If the report is assigned for assessment, CPS will deal directly with him/her about the report. That is all you should say. Do not identify the student or discuss details that could interfere with the CPS assessment.**
- **If the accused person is a student, and you are going to take some interim action (like removing the child from the classroom), advise the parent of the action and the conduct that is its basis. Do not make reference of the report to CPS.**
- Do not talk to anyone else about the allegations of the report. You must maintain the utmost confidentiality to keep from jeopardizing the reputations of staff members, students, and families.
- If there are documents in your school that might be relevant to the allegations (e.g., photographs, attendance reports, student records, notes), collect and secure them.
- Don't over-react; don't pre-judge.

What is the principal's obligation to investigate?

- Whatever CPS does, when the allegations relate to a staff member or student in your school, you need to determine whether, apart from the issue of abuse or neglect, the facts alleged raise issues of conduct or misconduct with which IPS needs to deal. For example, a teacher's use of corporal punishment could raise an issue of child abuse, which would be assessed and determined by CPS, and raise a separate issue about whether the teacher had violated IPS policy or professional expectations. The latter issues would need to be investigated and dealt with by the principal. Reports to CPS about student conduct may similarly give rise to student discipline or student service issues with which the principal must deal. CPS's determination does not substitute for your investigation and assistance in resolving internal IPS issues.
- The Title IX Coordinator or Human Resources will assist you in planning and carrying out your investigation, including deciding when you can begin investigating without interfering with CPS. In appropriate cases, the IPS Police and staff from the Human Resources Division may be able to assist you.

What should you do if you can't figure out what to do?

Call the Title IX Coordinator at 226-3870 or the Assistant Superintendent, Human Resources at 226-4580, who are your primary resource persons in these matters.